



Kentucky Board of Medical Licensure Newsletter

Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222
Phone: (502) 429-7150 Fax: (502) 429-7158 Website: www.kbml.ky.gov

Summer 2012

Preston P. Nunnelley, M.D., President

Board Members

President

Preston P. Nunnelley, M.D.
Lexington

Vice President

Randel C. Gibson, D.O.
Mayfield

Secretary

C. William Briscoe, M.D.
Corbin

Mickey D. Anderson, M.D.
Bardstown

Susan M. Berberich, M.D.
Louisville

Tamella B. Cassis, M.D.
Louisville

Asim R. Piracha, M.D.
Louisville

Russell L. Travis, M.D.
Lexington

Consumer Representatives

John C. Brewer
Stanton

Justice (Ret.) J. William Graves
Paducah

Thangam Rangaswamy, Ph.D.
Louisville

Ex-Officio Members

James S. Davis, M.D.
Commissioner
Department for Public Health

Boyd R. Buser, D.O., Dean, Pikeville
College School of Osteopathic Medicine

Frederick C. deBeer, M.D., Dean,
University of Kentucky College of
Medicine

Toni M. Ganzel, M.D., Interim Dean
University of Louisville School of Medicine
Michael S. Rodman, Executive Director

HB 1 and KBML Regulations – A Message from the Board

For the past several years, the Kentucky Board of Medical Licensure has been on the front line in Kentucky's fight against the epidemic of prescription drug abuse. Overseeing the licenses of more than 15,000 physicians, the Board is a key participant in protecting the independence and individual judgments of our physicians, while also working to enforce regulations designed to keep both physicians and patients safe.

To fight prescription drug abuse, the Board initiated disciplinary proceedings against those physicians who willfully overprescribed controlled substances. We developed advisory opinions on prescribing for chronic pain, and partnered with the state's KASPER program to lead educational presentations throughout the state.

House Bill 1 (HB1) addresses the prescription drug abuse problem head-on through a variety of methods designed to discourage the abuse or diversion of prescription drugs. The bill mandates increased usage of the state's prescription monitoring program, KASPER, and regulates pain clinics throughout the Commonwealth.

The Board recognizes that the vast majority of physicians work diligently to prescribe controlled substances carefully and thoughtfully. We also know that misinformation about the regulation of those substances has caused confusion, anger and unintended consequences among the very physicians we depend on to provide the best care for patients.

Patients have called the Board, concerned about whether they can still receive their medications. In some cases, their physicians have chosen not to continue prescribing scheduled drugs. Understandably, legitimate patients with serious medical conditions are worried. The Board understands and shares these concerns of patients, and we are working to alleviate the fears of the physician community on these new changes. It is important to point out that nothing in HB 1 or the KBML regulations precludes any licensed physician from prescribing any controlled substance to a patient that the physician believes is medically necessary or appropriate.

Over the coming months, the Board will continue to work with physicians to educate them about HB1 and the Board's new regulations. We strongly believe that physicians will become more comfortable in their prescribing practices under the regulations. We, as physicians, play a crucial role in helping to curb the abuse and diversion of prescription drugs in our state, and are confident that our efforts will enhance the overall health of the citizens of Kentucky.

Board Orders can be viewed under the Physician Profile/
Verification of License link on the Board's website at
www.kbml.ky.gov.

Board Actions Report (Actions taken since 04/01/12)

Ashok V. Alur, M.D., Crestwood, KY, License # 30373

Agreed Order of Indefinite Restriction entered
into 05/17/12.

Ronald C. Bibb, M.D., Danville, KY, License # 31272

Third Amended Agreed Order issued 05/07/12.

Rebecca J. Booth, M.D., Louisville, KY, License # 24668

Agreed Order of Fine entered into 05/16/12.

Charles J. Bradac, D.O., Wheeling, WV, License # 02372

Agreed Order entered into 05/24/12.

Paranita S. Bratton, M.D., Louisville, KY, License # 24493

Agreed Order of Surrender entered into 04/19/12.

Edwin T. Brott, M.D., Ashland, KY, License # 31144

Agreed Order entered into 05/31/12

Luyen V. Cao, M.D., Salem, IN, License # 26348

Order Reinstating Suspended License issued
05/23/12.

Adam W. Ellis, M.D., Russellville, KY, License # 40994

Order Terminating Agreed Order issued 05/23/12.

Mark R. Fantauzzi, D.O., Portland, ME, License # 02646

Agreed Order of Surrender entered into 05/16/12.

Alan A. Godofsky, M.D., Cincinnati, OH, License # 43920

Agreed Order of Indefinite Restriction entered
into 05/31/12

Brian A. Greenlee, M.D., Lexington, KY, License # 35215

Order Terminating Amended Agreed Order
issued 04/27/12.

James H. Heaphy, M.D., Lexington, KY, License # 26270

Agreed Order of Indefinite Restriction entered
into 05/16/12.

Kishore K. Jadhav, M.D., Manchester, KY, License # 33372

Agreed Order of Surrender entered into 05/17/12.

Paul D. Lopreato, PA-C, Florence, KY, License # PA735

Agreed Order entered into 05/31/12.

Lon G. Miller, M.D., Glendale, AZ, License # 16283

Order Terminating Agreed Order issued 04/26/12.

Wilbur A. Rader, M.D., Boise, ID, License # 22178

Agreed Order entered into 05/16/12.

Michael A. Samuel, M.D., Louisville, KY, License # 29074

Agreed Order of Fine entered into 05/16/12.

Stephen P. Savage, M.D., Louisville, KY, License # 22795

Agreed Order of Fine entered into 05/16/12.

Alan C. Schold, M.D., Glendale, AZ, License # 14839

Agreed Order of Indefinite Restriction entered
into 05/31/12.

Murray Schwartz, D.O., Cherry Hill, NJ, License # 02710

Agreed Order of Surrender entered into 04/19/12.

Tufan I. Senler, M.D., Louisville, KY, License # 29459

Agreed Order of Surrender entered into 04/19/12.

John A. Sharp, M.D., Lexington, KY, License # 26709

Agreed Order of Indefinite Restriction entered
into 05/17/12.

David E. Smith, M.D., Paducah, KY, License # 36603

Agreed Order of Indefinite Restriction entered
into 05/31/12.

Dean J. Wickel, M.D., Louisville, KY, License # 30539

Agreed Order entered into 04/13/12.

**Restrictions have also been placed on the following
physicians' licenses pending resolution of charges
brought against them:**

Mark R. Geier, M.D., Silver Spring, MD, License # 43228

Complaint and Emergency Order of Suspension
issued 04/06/12, effective 04/09/12.

Laura J. Hazeltine, M.D., Prestonsburg, KY, License # 25775

Complaint and Emergency Order of Suspension
issued 05/09/12, effective 05/14/12.

Emanuel Joseph, M.D., Bowling Green, KY, License # 40087

Complaint and Emergency Order of Suspension
issued 05/18/12, effective 05/21/12.

Gregory B. White, M.D., Evansville, IN, License # 26944

Complaint and Emergency Order of Suspension
issued 05/18/12, effective 05/18/12.

Mandatory KASPER Reminder

The Board would like to advise all Kentucky physicians that new Kentucky legislation (HB 1) became effective on July 20, 2012. This legislation requires Kentucky licensed physicians, who are authorized to prescribe or dispense controlled substances, to register with the enhanced Kentucky All Schedule Prescription Electronic Reporting (eKASPER) system.

If you have not registered for your KASPER account, please do so immediately. Information regarding KASPER registration can be found at <http://chfs.ky.gov/os/oig/KASPER.htm>. Please note that KASPER registration is free and it is the law.

An eKASPER web tutorial is available on the KASPER website, and provides information and guidelines to help make your use of eKASPER easier and more effective. If you are unsure if you have an eKASPER account please call the eKASPER helpdesk at (502) 564-2703 or eKASPERhelp@ky.gov. **Please note, if you already have an existing KASPER account, you do not have to re-register for a new one!**

Transition Period for Emergency Regulations

On July 20, 2012, the provisions of HB 1 and various emergency regulations issued pursuant to that statute became effective. Licensees should be re-assured that the standards for prescribing controlled substances are the same standards employed by the Board for the past 20 years.

While licensees must comply with the provisions of HB 1 from July 20, 2012 forward, the Board recognizes that the emergency regulations include some new requirements. We want to assure licensees that the Board does not intend to impose disciplinary sanctions for an isolated and simple failure to comply with one of the new requirements during the immediate period following filing of the emergency regulations.

It is important that each licensee become familiar with and come into compliance with the various requirements of the emergency regulations, which have been posted on www.kbml.ky.gov, as quickly as possible. The Board expects all licensees to be in full compliance with each of the new requirements by October 1, 2012.

You are encouraged to review the regulations. In the event that you would like to provide the Board with comments or a solution to an identified problem, please do so in writing by September 27, 2012, to the following address:

Michael S. Rodman
Executive Director
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, KY 40222

Important Clarification Regarding HB 1 and KBML Regulations

In recent weeks, there has been a great deal of confusion regarding the requirements of HB 1 and the emergency and ordinary regulations recently filed by the Board. It is important to note that the intent of these regulations along with HB 1 is not to overburden physicians, but instead to decrease the number of controlled substances that are issued inappropriately and negligently. The Board wants to assure all physicians and patients alike that it is everyone's intent that physicians continue to utilize and patients continue to receive controlled substances for appropriate reasons.

The Board is currently working on a fact sheet on HB 1 and the regulations for physicians and should have that available in the near future. With that in mind, the Board wanted to go ahead and clarify one important issue that has continually been identified as a point of confusion.

48 Hour Limitation on Physicians Dispensing

According to HB 1 and the Board's emergency regulation, 201 KAR 9:220E, no physician in Kentucky shall dispense an amount greater than a 48-hour supply of Schedule II controlled substance or Schedule III controlled substance with hydrocodone unless dispensing is part of a narcotic treatment program licensed by the Cabinet for Health and Family Services. **Important: this limitation does not apply to prescribing**, it only applies to a physician dispensing Schedule II controlled substances and Schedule III controlled substances with hydrocodone. Dispensing is legally defined as delivering the quantity of controlled substances to a patient to take away from the office and take at a different location.

Kentucky Board of Medical Licensure
310 Whittington Pkwy., #1B
Louisville, KY 40222

Change of Address Notice

Please Note: The information that you provide on this Change of Address Notice will be used to update your profile on the Board's web site at www.kbml.ky.gov.

You may also change your address online from the Board's website www.kbml.ky.gov/Address/

(Please Print or Type Information)

Date: _____ KY License Number: _____

Name: _____
(Last) (First) (Middle)

Mailing Address: _____
(Street)

(City) (State) (Zip)

Practice Address: _____
(Street)

(City) (State) (Zip)

Practice County: _____

Office Phone Number: _____

Email Address: _____
(Email address is not published)